IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

WEDNESDAY, THE 25TH JULY 2007 / 3RD SRAVANA 1929

WP(C).No. 18434 of 2007(T)

PETITIONER:

K.T.THOMAS,
KAVUNGAL HOUSE, ELAMPALLY, KOTTAYAM.

BY ADV. SRI.P.DEEPAK

RESPONDENTS:

1. THE REGIONAL TRANSPORT AUTHORITY,
   KANNUR.

2. THE SECRETARY,
   REGIONAL TRANSPORT AUTHORITY, KANNUR.

3. THE KSRTC, REPRESENTED BY
   ITS MANAGING DIRECTOR, TRANSPORT BHAVAN,
   THIRUVANANTHAPURAM.

SHRI.B.BENCHAMIN PAUL.

BY ADV. SRI.K.PRABHAKARAN, SC, K.S.R.T.C.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 25/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P(C).No. 18434/07

APPENDIX

PETITIONER'S EXHIBITS:

P1. COPY OF THE PERMIT.

P2. COPY OF THE TEMPORARY PERMIT.

P3. COPY OF THE PROCEEDINGS DTD.19.1.05 BY R1.

P4. COPY OF THE REVISION PETITION MVARP NO.32/07.

P5. COPY OF THE ORDER DTD.2.3.07.

P6. COPY OF THE NOTIFICATION DTD.9.5.06.

P7. COPY OF THE NOTIFICATION DTD.9.5.2007.

///True copy///

P.A. to Judge.

S.SIRI JAGAN, J.

==========

W.P.(C).No.18434 of 2007

==========

Dated this the 25th day of July, 2007

J U D G M E N T

Petitioner's application for concurrence for renewal of permit was rejected on the ground that the route overlaps a notified route. This was upheld by the S.T.A.T. by Ext.P5 order. The petitioner contends that in view of Ext.P7 notification issued subsequent to Ext.P5 order, the matter may be remanded for fresh consideration in the light of the present notification.

2. I have heard the learned counsel for the petitioner, the learned Government Pleader and the learned Standing Counsel appearing for the KSRTC.

3. Now that a new notification, Ext.P7, has come into force in respect of the route in question, it is only appropriate that the R.T.A. considers the application for concurrence for renewal of permit in the light of Ext.P7 notification. However, this shall only be after affording an opportunity of being heard to

the KSRTC also. This shall be done within a period of two months from the date of receipt of a copy of this judgment.

Writ petition is disposed of as above.

Sd/-
sdk+ S.SIRI JAGAN, JUDGE

///True copy///

P.A. to Judge.